

10122.14

Patterns Related to Dismissals:

a. *Pattern for Dismissal of Charges:* The following pattern should be used for dismissal of an unfair labor practice charge. The normal appeal period is 14 days; see, however, sec. 10122.4 for circumstances relating to 8(b)(7) in which the appeal period is reduced to 7 days.

[Charging Party]

**Re: [Case Name]
[Case Number]**

Appropriate Salutation:

The Region has carefully investigated and considered your charge against _____ alleging violations under Section 8 of the National Labor Relations Act.

***Decision to Dismiss:* Based on that investigation, I have concluded that further proceedings are not warranted, and I am dismissing your charge for the following reasons:**

Your charge alleges (, among other things,) that [Briefly describe closely related allegations and reasons for dismissal in the same paragraph.]

Your charge also alleges that. . . .

Finally, your charge also alleges that. . . .

***Your Right to Appeal:* The National Labor Relations Board Rules and Regulations permit you to obtain a review of this action by filing an appeal with the General Counsel of the National Labor Relations Board. If you wish to file an appeal, please note the following:**

***Appeal Due Date:* The appeal must be received by the General Counsel in Washington, D.C. by the close of business at 5:00 p.m. [EST or EDT, as appropriate] on [14 days from issuance]. However, if you mail the appeal, it will be considered timely if it is**

postmarked no later than one day before the due date. The appeal may not be filed by facsimile transmission or through the Internet.

Extension of Time to File Appeal: Upon good cause shown, the General Counsel may grant you an extension of time to file the appeal. You may file a request for an extension of time by mail, facsimile transmission or through the Internet. The fax number is (202) 273-4283. Special instructions for requesting an extension of time over the Internet are set forth in the attached Access Code Certificate. Any request for an extension of time must be received no later than the appeal due date indicated above. Unless filed through the Internet, a copy of any request for extension of time should be sent to me.

Appeal Contents: This appeal must contain a complete statement setting forth the facts and the reasons why you believe the decision to dismiss your charge was incorrect.

Address for Appeal: The appeal should be sent to the General Counsel of the National Labor Relations Board, Office of Appeals, 1099 14th Street, N.W., Washington, D.C. 20570. You should send a copy of the appeal to me.

Notice to Other Parties of Appeal: You must notify the other party(ies) to the case that an appeal has been filed. Therefore, at the time the appeal is sent to the General Counsel, please complete the enclosed Notice of Appeal Form (NLRB-4767) and send one copy of the form to all parties and representatives whose names and addresses are set forth in this letter. The appeal itself should not be sent to the other party(ies). Mailing the notice form to the parties does not relieve you from filing the appeal itself with the General Counsel and sending a copy of the appeal to me by the due date.

Very truly yours,

Regional Director

cc: Charged Party
Other Parties
General Counsel, Office of Appeals